

PLANNING BOARD MINUTES
WORKING SESSION
January 11, 2016

Call The Meeting to Order

Chairman Stephen Johnson called the meeting to order at 7:35 P.M. in the Town Hall Auditorium. Present at the meeting were, Robert Fowler, Nancy Reed, Vincent Fratalia, Keith Anderson, Director of Community Development Steve Sadwick and Recording Secretary Dawn Cathcart.

(A) Zoning Project Update

Mr. Sadwick stated that the Board of Selectmen are creating a committee to look at updating the Zoning Bylaw. This Zoning Review Committee will be made up of one Planning Board member, one Board of Selectmen member and three residents. They are going to go out to bid on a consultant within the next week or two.

Mr. Fratalia asked what they are trying to accomplish. Mr. Sadwick stated that there are inconsistencies in the bylaw and updates with case law. They hope to make it easier to read.

Mrs. Reed and Mr. Fowler stated that they are both interested in being on the committee.

(B) List of Possible Immediate Zoning Changes

(B1) OSRD Conflict with 7010

Mr. Sadwick stated that Article 23 from the Special Town Meeting removed the affordable housing requirement and density bonus from the OSRD. Section 7014 still references the affordable housing. The Planning Board has already approved one OSRD project without any affordable units and one is coming in next month. If the Planning Board wants the OSRD to have an affordable housing component then it should be added to Section 7500.

Mr. Johnson stated that the approved OSRD was incorrect because the affordable component was still in the bylaw. Mr. Sadwick replied that was correct. Mr. Sadwick stated that the warrant opens tomorrow and closes on February 26, 2016.

Mr. Anderson stated that the fee in lieu of option is still available. Mrs. Reed replied yes.

Mr. Johnson stated that the basic questions is do we want affordable units or not.

Mrs. Reed stated that the developers were taking advantage of the density bonus. The affordable component should remain but the density bonus should be removed.

Mr. Sadwick stated that in Section 7014 – “Dwelling Units in addition to this number achieved through density bonus provisions (7544.f.) of this bylaw shall not be subject to the ten (10) percent requirement of this section.” should be deleted.

Mr. Sadwick stated that in the MFD bylaw, there are 6 units/acre allowed. With the affordability component, they were allowed 7 units/acre with 15% affordability. The OSRD bylaw came in later. The Cluster bylaw was removed completely and the OSRD was updated with the article change.

Mrs. Reed stated that there is less infrastructure needed with the OSRD and less acreage is developed which is a cost savings to the developers.

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MOTION - Mrs. Reed made a motion to insert the affordable component language back into the OSRD bylaw and leave out the density bonus. The language should be added to Section 7500. The motion was seconded by Mr. Anderson and unanimously voted 5-0.

(B2) Definition of Mixed Use/Waiver ability in the Overlay Districts

Mr. Sadwick stated that four of the five overlay districts have the same definition for mixed use development. The CVOD has wording that is a little different. Mr. Sadwick stated that some proposed language changes have been submitted by recent applicants to update some language.

In Section 8644 #4, the following would be added to the end of this paragraph “or a building or buildings, used primarily for retail, commercial, service or office, with residential housing in a separate building or buildings.” This would address the projects at 1390 Main Street and 1438 Main Street where the front buildings are commercial with residential units out back. Mr. Sadwick stated that he would agree to this change in the overlay districts.

The other proposed change was to Section 8649, add “#5. The Planning Board may by Special Permit modify the uses outlines in Section 8644 if it determines such use is more suited to the neighborhood.” This is a change that could be difficult for the Board to handle and he advises that this be looked at closely before voted on.

MOTION - Mr. Anderson made a motion to accept the change to Section 8644 #4, by adding “or a building or buildings, used primarily for retail, commercial, service or office, with residential housing in a separate building or buildings.” and make this change in all overlay districts. The proposed change to Section 8649, #5 was not approved. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

(B3) Westside Neighborhood Business District – Minimum Lot Coverage

Mr. Sadwick stated that the current use table only allows 15% lot coverage for the WNB district. The HI zone allows 35% and this should be changed to 35% to match HI, which was the zoning prior to the bylaw change.

MOTION - Mr. Anderson made a motion to change the minimum lot coverage from 15% to 35% for WNB. The motion was seconded by Mr. Fratalia. The motion was withdrawn.

Mrs. Reed stated that there are two different sides in the WNB. This should only be changed on the west side. Mr. Sadwick stated that he will look at this and bring something back to the Board, perhaps adding something to Section 4000. Mrs. Reed stated that 150’ of frontage also seems high for that area and prohibits development. Mr. Sadwick stated that a waiver for the dimensional requirements could be done. He will look at adding language for Section 6707.

(B4) MFD Revisions

Mr. Sadwick provided some revisions to the MFD bylaw. Section 7121, add “or private way” to the end of the first sentence. This would allow development of a large private way like Ames Pond. Section 7156, change to read “The maximum building height shall be 45.” This will match the table of dimension requirements.

Mr. Johnson asked which is more likely to be correct, the text or the table. Mr. Sadwick stated that the text would most likely be correct. Mr. Johnson stated that language should be added that

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if there is a conflict between the text and table, the table is what is to be used. Mr. Sadwick stated that he will look at adding language to Section 4000.

Mrs. Reed stated that the MFD and MFD/55 bylaw should have the reference added to Section 7010 for consistency.

Mr. Sadwick also presented a change to 7170 from Reserved to Permitted Waivers. Mrs. Reed stated that this is a big change. Mr. Johnson stated that we should think about adding just the first sentence or the whole paragraph. Mr. Johnson stated that the proposed change has 20% or 25%, which one should it be. Mrs. Reed asked if there was a fee option and asked if the DHCD accepts the development agreement do all units apply. Mr. Sadwick stated that if they are using 80% of the average medium income, then they would need to use 25%. Mrs. Reed stated that is vague and would like to look at this further. Mr. Sadwick stated that when a regulatory agreement is needed by DHCD, it makes developers nervous.

(C) Design Guidelines

Mrs. Reed submitted a design guidelines package for review. Mrs. Reed stated that the main question is how these would be implemented. There needs to be a starting point.

Mr. Anderson thanked Mrs. Reed and would like time to review them.

(D) Riverview Park Special Permit

Mr. Sadwick stated that Riverview has asked how they can market their property as approved but not come in with a full Site Plan Special Permit. Can they come in with a manufacturing or Office/Research use with thresholds set, such as traffic, and if they trip the threshold they would need to come back before the Board. Mr. Johnson stated that the permit can be open but not open ended. Mrs. Reed stated that they could look at a zoning change. Mrs. Reed stated that they need to do some of the work.

Mr. Anderson stated that a question to the applicant is who are they marketing too, what type of use?

Mr. Sadwick stated that he will try to arrange a meeting with them. Mr. Fowler stated that he will not be here on March 21st.

Adjournment

MOTION - Mr. Anderson made a motion to adjourn the meeting at 9:00 PM. The motion was seconded by Mr. Fowler and unanimously voted 5-0.

Approved on: 2/22/16

No additional documents submitted.